



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

865910001

APR 30 2004

PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Dr. Juerg Witmer
Chief Executive Officer
Givaudan-Roure Corporation
1775 Windsor Road
Teaneck, NJ 07666-3018

RE: Lower Passaic River Study Area
Request for Information Pursuant to 42 U.S.C. §§ 9601-9675

Dear Dr. Witmer:

This letter seeks your cooperation in providing information relating to the contamination of the Lower Passaic River Study Area of the Diamond Alkali Superfund Site in New Jersey (Site). We encourage you to give this matter your immediate attention. We request that you provide a complete and truthful response to the attached Request for Information **within 20 business days** of your receipt of this letter.

The United States Environmental Protection Agency (EPA) is investigating the presence of hazardous substances in the sediments of the Lower Passaic River. EPA has documented the release or threatened release of hazardous substances, pollutants and contaminants into the Lower Passaic River Study Area. Under Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. Section 9604(e)(2), EPA has broad information gathering authority. EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and disposal methods of these substances on the environment and public health as well as identify activities, materials and parties that contributed to contamination at the Site. EPA believes that you might possess information pertaining to the Givaudan facility located at 125 Delawanna Avenue in Clifton, New Jersey, which may assist the Agency in its investigation of the Site.

While EPA seeks your cooperation in this investigation, compliance with this Request for Information is required by law. In preparing your response to this Request for Information, please follow the instructions provided in Attachment A. When you have prepared your response to the Request for Information, contained in Attachment B, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply or for failure to respond adequately to the Request for Information.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold from EPA the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions Section in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our Request for Information, you must immediately turn over the additional or different information to EPA.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Your response to this Request for Information should be postmarked or received by EPA within 20 business days of your receipt of this letter. Your response should be mailed to:

Elizabeth Butler, Remedial Project Manager
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway - 19th Floor
New York, New York 10007-1866

with a copy to:

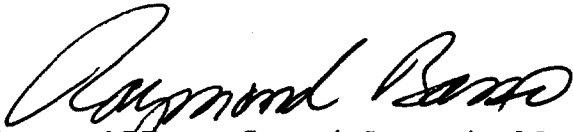
Kedari Reddy, Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway - 17th Floor
New York, New York 10007-1866

If you wish to discuss this further, please contact Ms. Elizabeth Butler, Remedial Project Manager, at (212) 637-4396 or Ms. Kedari Reddy, Assistant Regional Counsel, at (212) 637-3106. Please note that all communications from attorneys should be directed to Ms. Reddy.

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We appreciate and look forward to your prompt response to this information request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Raymond Basso". The signature is fluid and cursive, with the first name "Raymond" written in a larger, more prominent script than the last name "Basso".

Raymond J. Basso, Strategic Integration Manager
Emergency and Remedial Response Division

Enclosures

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